

IFW



William R. Stark
26602 Aracena Drive
Mission Viejo, CA 92691
September 4, 2005

Application/Control Number: 10/737,329
Art Unit: 3673
Examiner: Gay Ann Spahn
Supervisory Patent Examiner: Heather Shackelford

Dear Ms. Spahn,,

Please be advised that I am in receipt of a Notice of Abandonment pursuant to the above-referenced utility patent application which appears to have been issued in error.

It states: "Applicant's failure to timely file a proper reply to the Office letter mailed on 29 April 2005" as the reason for abandonment. Further, it states that my reply was received on 29 April 2005 and did not include a certificate of mailing as to what day it was actually deposited in the mail.

I have enclosed my first class postage receipt from the United States Post Office in Mission Viejo, California which is clearly dated 04/26/2005, at 03:53:22 PM. It was my understanding that the United States Postal Service 'date stamp' on the package itself would be sufficient proof of the date of mailing. Obviously, if the United States Patent and Trademark Office received my package on 29 April 2005 mailed from California, it must have been mailed several days earlier and most likely be in compliance. I did not think that I would need any additional proof. However, I did save the postal information and have attached it for your information and benefit.

Based upon this evidence, it is my belief that I am in full compliance with your instructions to me that a response must be dated on, or before, 26 April 2005. Since I have proof of such compliance, I hereby respectfully request that the processing of my utility patent application be continued without further delay.

If any further information is needed from me regarding this issue, please let me know immediately upon receipt of this letter. I may be reached at (949) 380-8829.

Very truly yours,

William R. Stark
Inventor

Encl: Postal receipt dated 26 April 2005.



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